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A Review of the Eastern Partnership after Ten Years: the Need to Reconsider its Efficacy

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Abstract

This article analyses the effectiveness and prospects of the Eastern Partnership in the context of its ten-year implementation and the results of the Brussels Summit of 2017. The paper focuses on the current stage of the progress of the EaP partner states and the internal challenges of their development. A significant part of the article is devoted to Russia's influence on the Europeanisation process of the Eastern European countries and the weak incentives from the EU towards these countries. The Normative Power concept was used to analyse the EU-Eastern European countries bi- and multilateral relations within the Eastern Partnership co-operation, taking into consideration that the EU norms and regulations' implementation in Eastern Europe do not guarantee political normalisation in these countries. We conclude that after ten years of functioning, the Eastern Partnership has little capacity to influence political elite, domestic and regional processes in Eastern Europe, because depoliticised functional approach and the EU long-term incentives are not enough for the partners.

Keywords: Eastern Partnership, European Union, reforms, eastern neighbours, association agreements.

Introduction

The Eastern Partnership (EaP) will celebrate ten years of its existence by the end of 2018. On December 3, 2008 the European Commission issued a message with the same name having initiated a new conceptual basis for the EU's co-operation with six states: Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine¹. However, the EaP founding summit took place only in

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early 2009, on the 7th of May in Prague². The first decade of the EaP, especially its second half, was marked by the most difficult period in the relations between the EU and its eastern neighbours since the collapse of the USSR in 1991. The Russian military invasion of Ukraine, including the annexation of Crimea and the aggression in the Donbas, the low effectiveness of the reforms even in the EaP “avant-garde” countries such as Georgia, Moldova and Ukraine, have clearly demonstrated the vulnerability of the original EaP concept and the tools that may have been suitable in 2008 but are already inadequate after a decade.

The Fifth EaP Summit, which took place on November 24, 2017, demonstrated that despite its overall weak format, it remains a stable basis for EU relations with its eastern neighbours. The results of the summit have shown the EU’s reluctance to bring any major changes to the EaP in the near future, but it is still experiencing a new and important stage of its evolution, considering the recent entry into force of the Association Agreements between the EU and Georgia, Moldova and Ukraine.

There is a consensus of researchers on the need for the review of the EaP. There are, however, discussions are on the preferable directions of its further transformation. Pointing out the slight chances of a serious EaP reform in the near future, most authors suggest the ways to make it more functional within existing instruments. For example, Andrew Wilson considers the transition to a “status quo plus” approach in EU relations with its eastern neighbours, including access to the single market, strengthening the “physical” ties between the partner countries and the EU, etc³. Max Fras suggests that the EU should continue its course on technical assistance, development co-operation, support of independent media, and others⁴. At the same time, some researchers, such as Jana Kobzova, Grzegorz Gromadzky, Leonid Litra, Irakli Porchkhidze, keep on claiming that in order to be successful, the renewed EaP should be much more politically oriented and less technical than it is today,

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¹ *Communication from the Commission to the European Parliament and the Council “Eastern Partnership”*, European Commission, 3 December 2008, http://ec.europa.eu/external_relations/eastern/docs/com08_823_en.pdf.

² *Joint Declaration of the Prague Eastern Partnership Summit*, Prague, 7 May 2009, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/107589.pdf.

³ Andrew Wilson, “Partners for Life: Europe’s Unanswered «Eastern Question»”, European Council on Foreign Relations, 07 October 2017, http://www.ecfr.eu/publications/summary/partners_for_life_europes_unanswered_eastern_question_7232 - Last accessed on 28 June 2018.

⁴ Max Fras, “Weak but stable: The future of the EU’s Eastern Partnership ahead of the 2017 summit”, The London School of Economics and Political Science, Blog post, 17 November 2017, <http://blogs.lse.ac.uk/euoppblog/2017/11/17/eastern-partnership-summit-2017-weak-but-stable/>.

despite the apparent continuation of the pragmatic and technocratic approach of the EU towards the realisation of the EaP in the near future⁵.

This article analyses the evolution of the EaP after the first decade since the initiative was launched using the theoretical approach offered by the analyses, which consider the EU as a normative model for other regions (Manners). We focus upon the current stage of the EaP's progress reflected in the final declaration of the Brussels Summit and its perspectives. The main research questions are: Is the EU ready to propose the move forward? Are the EaP Partner States ready to progress in their relations with the EU?, and Does the EaP have prospects to become an effective model for the gradual and partial integration of the eastern neighbours with the EU?

In this sense, we identified three main problems or deterrents that hinder such a move forward and the use of the full potential the initiative possesses for a much deeper transformation of the EU's eastern neighbourhood. First of all, there are internal challenges for the sustainable transformation of the EaP countries such as money seeking interests of the elites, systemic corruption, and ineffective state institutions. Secondly, the Russian influence counterbalances the EU's Europeanisation impact in the region. Finally, there is a weakness of the EU's incentives to support domestic reforms in the partner countries.

This paper is organised into four sections. The first section describes the development of the Eastern Partnership initiative since its origin in 2009 up to 2018, and the theoretical framework used to analyse it. While the second and third sections describe the internal challenges in the development of the EaP partner states and Russia's influence in Eastern Europe, the final part of the paper is devoted to presenting the weak incentives of the EU for the Eastern European countries.

Evolution Of The Eastern Partnership: From Prague To Brussels

The EaP emerged because of the gradual evolution of the European Neighbourhood Policy (ENP) regarding the countries of Eastern Europe and the South Caucasus. It became the first comprehensive initiative within the EU's external relations system directed to six countries of the Eastern Neighbourhood

⁵ Jana Kobzova, "Easing the EU's Eastern Partnership fatigue", European Council on Foreign Relations, 08 November 2017, http://www.ecfr.eu/article/commentary_easing_the_eus_eastern_partnership_fatigue. Grzegorz Gromadzki, "The Eastern Partnership after Five Years: Time for Deep Rethinking", European Parliament, Policy Department DG External Policies, 21 February, 2015, [http://www.europarl.europa.eu/RegData/etudes/STUD/2015/536438/EXPO_STU\(2015\)536438_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2015/536438/EXPO_STU(2015)536438_EN.pdf). Leonid Litra and others, "Eastern Partnership renewal. Recommendations for the 2017 Eastern Partnership summit," *IPRE*, 2017, <http://www.ipre.md/eapptf2017/Background%20Paper.pdf>.

of the united Europe. At the same time, despite the fact that the Polish-Swedish proposals of May 23, 2008 were initially innovative, the final format of the initiative took the form of the smallest “common denominator” and became an attempt of minimalist answers to the Polish ambitions of the formation of the EU’s eastern policy as there are differences in the approach of the EU member states towards relations with the eastern neighbours⁶. The most important and far-reaching component of the Polish proposals, the recognition of the prospect of EU membership for the Eastern European States, is not present in the EaP, and the level of co-operation in practical spheres has been defined too generally⁷.

The EaP proposed a way for the gradual and partial integration of the partner states with the EU based on their progress in internal reforms aiming at strengthening European values such as democracy, human rights, principles of the rule of law, and others. The novelty of its bilateral dimension was that it provided opportunities for the development of relations, which the EU had previously offered Ukraine, for all its eastern neighbours: association agreements, deep free trade areas, visa liberalisation, integrated institutional development programmes, etc⁸. The instruments provided within the multilateral dimension (summits, the Council of Ministers, thematic platforms, working panels, flagship initiatives, the Civil Society Forum, Euronest, etc.) have become completely new to the region⁹.

The EaP, programmed this way from the very beginning, left the following question open: What should happen if any partner country implements the envisaged reform programme (europeanizes itself) and becomes compatible with the EU? Some EU member states like Poland, other Visegrád Group countries, the Baltic States, and Scandinavia, proceeded from the position that the EaP format could help the target countries really come closer to the EU and prepare them for possible full integration in the future¹⁰. Other EU members saw the EaP from the beginning as an alternative to enlargement or “a waiting room”, where the post-Soviet countries of Eastern Europe and the South Caucasus would finally be able to determine the paradigm of their further development¹¹. Insignificant interest or even scepticism of most EU countries to this project left its implementation on the European Commission and some of

⁶ Ministerstwo Spraw Zagranicznych Rzeczypospolitej Polskiej, Propozycja Polsko-Szwedzka: Partnerstwo Wschodnie, May 2008, <http://www.msz.gov.pl/files/PARTNERSTWO%20WSCHODNIE/1PL.pdf>.

⁷ *Joint Declaration ... cit.*, Prague, 7 May 2009, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/107589.pdf.

⁸ *Communication from the Commission ... cit.*, 3 December 2008.

⁹ *Idem*.

¹⁰ Tetiana Sydoruk, “The positions and interests of Member States in creation the current European Union Eastern policy”, *Scientific Notes of Ostroh Academy National University, series «International Relations»* 2, 2010, pp. 67-68.

¹¹ *Ibidem*, p. 70.

the activist countries such as Poland, the Czech Republic, Sweden, and the Baltic countries. A good evidence of such an attitude is the geography of the EaP Summits: Prague in 2009, Warsaw in 2011, Vilnius in 2013, and Riga in 2015. Only Estonia, chairing the EU Council in the second half of 2017, refused to host the Fifth Summit. Johannes Hahn, Commissioner for European Neighbourhood Policy & Enlargement Negotiations, called it a “wise decision”, because Brussels hosting the summit “is a clear signal that all EU members stand for strong political and economic relations with their eastern partners”¹².

Over the past decade, the EU has repeatedly attempted to reconsider individual instruments of the EaP under the ENP reforms initiated by the Commission’s messages such as “A New Response to Changing Neighbourhood” dated May 25th, 2011¹³ and “Review of the European Neighbourhood Policy” on November 18th, 2015¹⁴, as well as the results of the five summits.

The most important stage in redefining the EaP came after the Vilnius Summit on the 28th-29th of November 2013, when the initiative turned into a crushing defeat. Two months before, Armenia refused to continue co-operation concerning the preparation of the association agreement with the EU, followed by Ukraine, a geopolitically key state in the region, bigger in terms of population and GDP than any other five EaP partners all together, that refused to sign the already prepared agreement. Further events followed such as – Russia’s annexation of Crimea and the Russo-Ukrainian conflict in Donbas that erupted in 2014, which have radically changed the situation in Eastern Europe, most ominously in the security sphere.

At the next summit, on the 21st and 22nd of May 2015 in Riga, the EU hoped to rehabilitate it after a geopolitical defeat in Vilnius as well as renew and strengthen cooperation with the partner countries. The summit’s Joint Declaration contains indeed a broad list of priorities of 30 points about co-operation and dialogue, which are aimed at long-term, comprehensive reforms and modernisation of the participating countries. This partnership should start with the association agreements implementation with Georgia, Moldova and Ukraine. It is the main priority of the EU and partner countries for the coming years. The relations should be extended to developing intentions of closer co-

¹² Vitaliy Yermitsa, “‘Eastern Partnership’: far-sighted and dynamic or short-sighted and slowed down?,” *Radio svoboda*, 23 November 2017, <https://www.radiosvoboda.org/a/28870397.html>.

¹³ A New Response to a Changing Neighbourhood. *Joint Communication by the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission, European Commission*, 25 May 2011, http://ec.europa.eu/world/enp/pdf/com_11_303_en.pdf.

¹⁴ Review of the European Neighbourhood, *Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and Policy. the Committee of the Regions*, European External Action Service, 18 November 2015, http://eeas.europa.eu/enp/documents/2015/151118_joint-communication_review-of-the-enp_en.pdf.

operation in the fields of energy, business and entrepreneurship, transport, etc.¹⁵. However, the Riga Summit demonstrated at the same time further deepening of the split of the partner states of the programme. The most striking evidence of this was the refusal of Armenia and Belarus to sign the summit's final declaration condemning Russia's annexation of Crimea. As a result, the EU had to differentiate its position and the EaP countries on this issue¹⁶. We fully agree with Hrygoriy Perepylytsia mentioning that

“in Riga, Putin received a second victory over the EU after Vilnius in the struggle for the implementation and development of the Eastern Partnership. Armenia, Belarus and Azerbaijan have finally become entrenched in the sphere of Russian influence, and no declarations of intent to adhere to the principles of democracy, human rights and European values for these countries are no longer relevant”¹⁷.

During these years, there were, however, some positive adjustments to the EaP. In particular, a clearer connexion between EU's assistance and reforms in the partner countries according to the “more for more” principle¹⁸ and partnerships between neighbouring countries' societies were strengthened. There was also an enhancement of support for non-governmental organisations in partner countries¹⁹ the emphasis on the question of stabilisation and reforms became clearer, and the co-operation in the security area of security²⁰.

The Brussels EaP summit of November 24th, 2017, marked two more years of uneasy relations between the EU and its eastern neighbours. During this time, pro-European Georgia, Moldova and Ukraine reached the most important bilateral EaP goals – in June 2014, they signed the EU Association Agreements (AA) together with deep and comprehensive free trade areas. The agreements with Georgia and Moldova entered into force on the 1st of July 2016 on a permanent basis, and the one with Ukraine only on September 1, 2017, after delaying the ratification process in the Netherlands as a result of the

¹⁵ *Joint Declaration of the Eastern Partnership Summit* (Riga, 21–22 May 2015), European External Action Service, http://eeas.europa.eu/eastern/docs/riga-declaration-220515-final_en.pdf.

¹⁶ *Ibidem*.

¹⁷ Hrygoriy Perepylytsia, “Putin's victory in Riga,” TSN, 26 May 2015, <http://tsn.ua/analitika/rizka-peremoga-putina-429583.html>.

¹⁸ *A New Response to a Changing Neighbourhood. Joint Communication by the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission*, European Commission, 25 May 2011, http://ec.europa.eu/world/enp/pdf/com_11_303_en.pdf.

¹⁹ *Ibidem*.

²⁰ *Review of the European Neighbourhood Policy. Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions*, European External Action Service, 18 November 2015, http://eeas.europa.eu/enp/documents/2015/151118_joint-communication_review-of-the-enp_en.pdf.

referendum on the 6th of April 2016. The paths of Georgia and Moldova to these agreements were relatively easy, whereas the Ukrainian path to association with the EU was the most complicated and the longest. Still, for all three countries, the preparation and signing of the AAs with the EU was the key to maintaining a permanent pro-European course in their foreign policy. In addition to the AAs, but as an independent process, all three states have reached visa-free regime with the EU. Apart from it, Georgia and Moldova have already gained access to the European Common Aviation Area, which is likely to be open for Ukraine as well.

Unfortunately, for the “AA Club”, as these countries were named by Max Frass, there are no strategic guidelines in their relations with the EU in the near future²¹. The AA implementation implies years of intense reforms and gradual integration with the use of existing instruments. Rapid rapprochement with the EU, not even talking about joining it, is extremely unlikely in the visible perspective.

Another group of states (Azerbaijan, Belarus and Armenia) seems to have stabilised their weak relations with the EU in recent years through other types of agreements. Despite the entry of Armenia into the Eurasian Economic Union in October 2015, the EU began negotiations on a Comprehensive and Expanded Partnership Agreement signed at the EaP Summit in Brussels. The trade part of this agreement, unlike the AA, does not contain the most important component, the free trade area, and is adapted to the Armenian obligations within the framework of the Eurasian Economic Union. Nevertheless, it provides a possibility to start negotiations on joining the Common Aviation Area and the visa regime liberalisation, requiring additional funding from the EU²². In February 2017, the EU began negotiations on a Comprehensive and Enhanced Partnership Agreement with Azerbaijan. The state has been suffering in recent years from economic hardship, weakening of the local currency and reducing revenues from oil and gas, so it tries to intensify participation in certain spheres of the EaP, namely in economic co-operation²³. The relations between the EU and Belarus also experienced some improvements. After Aleksandr Lukashenko released all the political prisoners in August 2015, in February 2016, the EU lifted almost all sanctions against Belarus, in particular, against 170 people and 10 companies associated with the local authorities²⁴. However, signing an agreement similar to the Armenian variant should not be expected in the near future because it is the only Eastern European country that

²¹ Max Frass, “Weak but stable ... cit.”.

²² *Joint Declaration of the Eastern Partnership Summit* (Brussels, 24 November 2017), Council of the European Union, <http://www.consilium.europa.eu/media/31758/final-statement-st14821en17.pdf>.

²³ Max Frass, “Weak but stable ... cit.”.

²⁴ Leonid Litra and others, “Eastern Partnership renewal”.

did not even sign the Partnership and Cooperation Agreement with the EU. At the same time, the relations between the EU and Belarus are developing within the framework of the EaP's multilateral dimension; the human rights dialogue is in progress, and, since April 2016, a new co-ordination group for a bilateral dialogue on various issues is in place²⁵.

The above analysis allows us to determine the actual division of the region into associate (AA group) and non-associate partners. Moreover, if we talk about the prospects for developing relations with the EU, it is paradoxical that the second group of states has more cautious optimism than the first one as they have stabilised these relations in recent years and have more or less clear plans for further movement. Consequently, the EU should more than ever focus on relations with those eastern partners that have already reached the goals of the EaP and are now ready to co-operate more closely and integrate with the EU. The implementation of the AAs by Georgia, Moldova and Ukraine is, without a doubt, a major challenge for the coming years, but it may lose its influence on these countries without clear political signals over further development of the relations with the EU.

There were many hopes concerning the Brussels EaP Summit, as numerous political, scientific, expert and public debates on the directions of its transformation and the provisions of the final declaration showed. The results of the summit revealed that the most sceptical views came true – there was no radical reconsideration of the policy. Its final declaration is rather a soft mix of general assurances about the shared commitment to its goals and the support of the EU partner countries in a limited number of reform areas²⁶. None of the ambitious ideas such as the European Parliament's presentation of "The Eastern Partnership+" (including creation of a trust fund, a new European investment plan, a mechanism for financial support for AAs implementation for Georgia, Moldova and Ukraine)²⁷, or Lithuania's "Marshall Plan for Ukraine"²⁸ had support by EU leaders due to the political opposition in the EU member states and resource constraints.

There are eight important aspects of the summit's declaration that should be discussed. First of all, it does not mention, as expected, the recognition of the prospect of EU membership for Georgia, Moldova and

²⁵ *Ibidem*.

²⁶ *Joint Declaration of the Eastern Partnership Summit* (Brussels, 24 November 2017), Council of the European Union, <http://www.consilium.europa.eu/media/31758/final-statement-st14821en17.pdf>.

²⁷ "President of European Parliament called for creation of 'Eastern Partnership Plus' model", Front News International, 24 November 2017, <https://frontnews.eu/news/en/18129/President-of>.

²⁸ Serhiy Sydorenko, "Commissioner Hahn against Marshall Plan: the idea of large-scale assistance to Ukraine loses its support," *Europeiska pravda*, 27 October 2017, <http://www.eurointegration.com.ua/articles/2017/10/27/7072834/>.

Ukraine, while, at the same time, in relation to Ukraine there is a reference to a December 2016 decision by the EU Heads of State or Government²⁹, which states that “[...] the Agreement does not confer on Ukraine the status of a candidate country for accession to the Union, nor does it constitute a commitment to confer such status to Ukraine in the future”³⁰.

Secondly, it includes a statement about the recognition of these partners’ European aspirations and European choice, but the wording in paragraph 10 limits these aspirations and this choice to the framework of the AAs implementation and the “political association and economic integration” formula³¹. Therein lies a powerful reason for a pessimistic conclusion about the influence of the “Dutch factor”³² on the EaP’s evolution towards preventing its development in the neo-enlargement policy.

Thirdly, for the second time since Riga, Ukraine failed to achieve official recognition of the participants that Russia is an aggressor country; instead, as in the declaration of the previous summit, the EU only supported the territorial integrity, independence and sovereignty of all the partners³³. Vladimir Makei, The Foreign Minister of Belarus, in one of the interviews expressed his proudness that “Belarus has clearly stated that it will not tolerate any anti-Russian provisions in the final declaration of this summit”³⁴.

In the fourth place, the “multi-speed approach” to the EaP has not been introduced. It only mentions the enhanced differentiation in bilateral relations with each of the partner countries³⁵. Nevertheless, the actual division of the region into two groups of countries according to their internal dynamics,

²⁹ *Joint Declaration of the Eastern Partnership Summit* (Brussels, 24 November 2017), Council of the European Union, <http://www.consilium.europa.eu/media/31758/final-statement-st14821en17.pdf>.

³⁰ *European Council. European Council Conclusions on Ukraine*, 15 December 2016, <http://www.consilium.europa.eu/media/24151/15-euco-conclusions-ukraine.pdf>.

³¹ *Joint Declaration of the Eastern Partnership Summit* (Brussels, 24 November 2017), Council of the European Union, <http://www.consilium.europa.eu/media/31758/final-statement-st14821en17.pdf>.

³² In the Dutch referendum, held on 6th April 2016, over 61% of the voters rejected the ratification of the Association Agreement between the EU and Ukraine despite having limited impact on the AA with Ukraine signed in 2014. The main problem is that Ukrainian citizens could feel unwanted in the EU despite all the sacrifices they have suffered, and this might welcome back the pro-Russian forces into power.

³³ *Joint Declaration of the Eastern Partnership Summit* (Brussels, 24 November 2017), Council of the European Union, <http://www.consilium.europa.eu/media/31758/final-statement-st14821en17.pdf>.

³⁴ Belarus stated that it is not going to be friends with the EU to the detriment of Russia, Glavcom, 12 January 2018, <https://glavcom.ua/news/bilorus-zayavila-shcho-ne-zbirajetsya-druzhati-z-jes-na-shkodu-rosiji--465431.html>.

³⁵ *Joint Declaration of the Eastern Partnership Summit* (Brussels, 24 November 2017), Council of the European Union, <http://www.consilium.europa.eu/media/31758/final-statement-st14821en17.pdf>.

obligations and ambitions within the EaP is obvious. The reason is that the EU does not want to create preconditions for the pro-European group of states of the bloc to be candidates for something more in relations with the EU.

The fifth aspect is that “The EU’s incentive-based approach (‘more-for-more’) will continue to benefit those partners most engaged in reforms”³⁶, but this principle does not ensure higher integration for those who have done more, it just adds a higher financial assistance.

The sixth aspect is that the EU is not focused on deeper security co-operation with its partners: apart from the general statement on “the involvement and enhanced role of the EU in resolving conflicts”, in a phrase about the possibility of a direct EU presence (in conflict regions) it is added that the presence will be ensured only if necessary and important to strengthen the dialogue on security issues and defence³⁷. Of course, the EU diplomats are right when they affirm that the EaP is not a tool for resolving conflicts, but the lack of instruments to respond to security problems in the region reduces the effectiveness of EU’s influence.

A seventh issue is that one of the most important statements of the declaration is the approval of “20 deliverables for 2020”, first presented in December 2016 by the Commission and revised in June 2017, which are aimed at enhancing regional stability, strengthening human contacts, infrastructure, energy co-operation, etc.³⁸. The implementation of these tasks will strengthen the ties between the EaP and the EU, but they indicate that the EU will still prefer to pursue a technocratic, pragmatic approach in relations with partners and avoids strategically and politically ambitious tasks. Finally, in the absence of more ambitious tasks, the declaration envisages increased co-operation in the spheres of education, science, support of independent media, the strengthening of strategic communications, and the involvement of civil society, etc.³⁹.

In general, the summit confirmed the weak but stable state of the EaP and did not give it a new breath because it will continue to “boil over low heat”. We will analyse the main factors that restrain the further evolution of the EaP and/or negatively influence its effectiveness.

New theoretical approaches concerning the EU treat it as a normative model for other regions of the world. The controversy about the role of the European Union in the system of international relations appeared with the introduction of the term of “civilian power” proposed by Duchêne who believes

³⁶ *Ibidem.*

³⁷ *Ibidem.*

³⁸ *Ibidem.*

³⁹ *Ibidem.*

that economic power would be extremely important for the promotion of European interests⁴⁰.

Moreover, the concept of “Normative Power Europe” used by Manners refers to not only the fact that the EU can achieve goals without military power, but also that the goals of the EU are normatively anchored in a Kantian philosophy. The EU has both norms it wishes to promote and a normative way of achieving them. According to Manners, the EU is special because it not only wants to promote norms, but also promotes the norms via a normative process characterized by common principles and a willingness to disregard notions of “state” or “international”⁴¹. Manners’ main argument is that the international role of the EU as a promoter of norms does not fit in the classical English School division of states in either military or civilian powers. He claims that the developments of the 1990s in international relations lead to rethinking the notions of military and civilian powers, thus transforming the EU into a new type of power, normative power. The EU as a normative power does not rely on military power to set the standards of international politics, and it is not even civilian economic means that are the core of EU power, instead, “power becomes an effect of norm leadership and persuasion”⁴². By the idea of normative power, Ian Manners suggests that the EU is not only constructed on a normative basis, but that the concept predisposes the EU to act in a normative way in international relations. The notion of the EU normative power is constructed on the argument, that “the most important factor shaping the international role of the EU is not what it does and what it says, but what it is”⁴³. In this regard, the EU becomes a promoter of democracy and human rights, social justice, sustainable economic development, solidarity, rule of law and good governance. Then, the European Neighbourhood Policy and Eastern Partnership represent European interests by creating a ring of well-governed states.

The normative mechanism of the Eastern Partnership initiative is based upon certain benefits that will only be granted after the partner states implement the EU rules, standards and norms. Furthermore, the EU normative power in Eastern Europe has two main tasks: the first one is the rapprochement of the partner countries with the EU despite the lack of membership perspective; the second one is to ensure the security of the EU when the partner states would neutralise the challenges arising from the disadvantaged and poorly managed neighbours.

⁴⁰ François Duchêne, “Europe’s Role in World Peace”, Richard Mayne (ed.), *Europe Tomorrow: Sixteen Europeans Look Ahead*, Fontana, London, 1972, p. 43.

⁴¹ Ian Manners, “Normative Power Europe: a Contradiction in Terms?”, *Journal of Common Market Studies*, vol. 40. no. 2, 2001, pp. 235-258.

⁴² *Ibidem*.

⁴³ *Ibidem*.

Internal Challenges For Sustainable Transformation Of The EaP Countries

“Increasingly, his (Poroshenko’s) administration is transforming new Ukraine into a mirror image of the old Ukraine. European leaders should not provide geopolitical fig-leaves for this regression.”

(Gustav Gressel, Senior Policy Fellow at the ECFR Berlin Office)⁴⁴

Despite the fact that some associated partners such as Georgia, Moldova and Ukraine achieved progress that is proved by the entry into force of the AAs and the introduction of a visa-free regime, the low effectiveness of the practical implementation of the reforms remains one of the main reasons for the criticism of these states and reduces the enthusiasm of Brussels and the European capitals to spend political capital and financial resources for any significant improvement of the EaP.

The EaP aims to facilitate the implementation of the reforms in the participating countries. The nature and results of internal reforms are central variables that determine the level of co-operation between the EU and its partner countries. However, as the experience of implementing the initiative for almost ten years shows, this task became a “Sisyphean Task” in the EaP. Moreover, the EU is not its cause. The bases of most problems that hamper the reforms effectiveness are systemic corruption, opportunistic interests of the elites and ineffective state institutions of the partner countries. For example, three years after the “Revolution of Dignity”⁴⁵ in Ukraine, whose participants sought to implement many of the reforms supported by EaP since its start in 2008, critics accuse the Ukrainian authorities of “counter-revolution” against key reforms⁴⁶. Moldova, which was recently considered by the EU as the EaP “success story”, is now an opposite example, which shows that “Europeanisation”

⁴⁴ Gustav Gressel, “Ukraine on the brink of kleptocracy”, European Council on Foreign Relations, 05 January 2018, http://www.ecfr.eu/article/commentary_ukraine_on_the_brink_of_kleptocracy.

⁴⁵ The Revolution of Dignity (Euromaidan Revolution) is a series of violent events that took place in Ukraine in late 2013 and early 2014 and which resulted in more than a hundred victims and the ousting of President Viktor Yanukovich, and of the Ukrainian Government. The Revolution began when the President refused to sign the Association Agreement with the EU at the EaP Vilnius Summit of November 2013. Tens of thousands of citizens protested against this decision defending their European aspirations. Apart from supporting the European integration course, the protesters demanded the resignation of the Government and early parliamentary and presidential elections, as well as the punishing of those responsible for the use of force by authorities on peaceful protesters.

⁴⁶ *Ibidem*; Andrew Wilson, “Partners for Life” ...cit.

can become a synonym to corruption when the pro-European path of development is a screen under which the authorities cover a range of acts of corruption.

Georgia, Moldova and Ukraine have shown some progress in the introduction of the European norms and standards in many areas, but their implementation, ensuring the sustainability and irreversibility of internal transformation and Europeanisation are still a problem. This issue causes doubts about the success of their systemic changes. The analysis of annual reports on “Nations in Transit” published by Freedom House for the last ten years since the emergence of the EaP (2008-2017) shows that the index of democracy in six participating countries (see Table 1) remained at the same level and, in some countries, such as Azerbaijan and Ukraine, it even declined. Countries that had hybrid regimes ten years ago (Georgia, Moldova, Ukraine) remained the same. In the last decade, all of them have experienced violent political changes, but their political systems have not changed. Azerbaijan, Belarus, and Armenia even consolidated authoritarian regimes during this period.

Table 1. Democracy Index in EaP Countries in 2008-2017

Country	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Armenia	5,21	5,39	5,39	5,43	5,39	5,36	5,36	5,36	5,36	5,39
Azerbaijan	6	6,25	6,39	6,46	6,57	6,64	6,68	6,75	6,86	6,93
Belarus	6,71	6,57	6,57	6,57	6,68	6,71	6,71	6,71	6,64	6,61
Georgia	4,79	4,93	4,93	4,86	4,82	4,75	4,68	4,64	4,61	4,61
Moldova	5	5,07	5,14	4,96	4,89	4,82	4,86	4,86	4,89	4,93
Ukraine	4,25	4,39	4,39	4,61	4,82	4,86	4,93	4,75	4,68	4,61

Sources: Freedom House, “Nations in Transit” (2017), <https://freedomhouse.org/report/nations-transit/nations-transit-2017>.

If we analyse the indicators according to some criteria used by Freedom House and compare the situation 10 years ago and today (see Table 2), the situation looks even more disappointing.

Table 2. Indices of Some Freedom House Criteria in EaP Countries in 2008-2017

	National Democratic Governance		Electoral Process		Civil Society		Independent Media		Local Democratic Governance		Judicial Framework and Independence		Corruption	
Country	2008	2017	2008	2017	2008	2017	2008	2017	2008	2017	2008	2017	2008	2017
Armenia	5,25	6	5,5	6	3,5	3,75	5,75	5,5	5,5	5,75	5,25	5,5	5,75	5,25

Azerbaijan	6	7	6,5	7	5,25	7	6,25	7	6	6,5	5,75	7	6,25	7
Belarus	7	6,5	7	6,75	6,5	6,25	6,75	6,75	6,75	6,75	6,75	7	6,25	6,25
Georgia	5,75	5,5	4,75	4,5	3,5	3,75	4,25	4	5,5	5,25	4,75	4,75	5	4,5
Moldova	5,75	5,75	3,75	4	3,75	3,25	5,5	5	5,75	5,5	4,5	5	6	6
Ukraine	4,75	5,75	3	3,5	2,75	2,5	3,5	4	5,25	5	4,75	5,75	5,75	5,75

Sources: Freedom House, "Nations in Transit" (2017), <https://freedomhouse.org/report/nations-transit/nations-transit-2017>.

Azerbaijan registered a deterioration of the situation in what concerns all of the 7 criteria, of which the largest attack was on civil society and on the independence of justice. In Armenia, five criteria marked the worsening of the state, while other two (independent media and corruption) had a slight improvement. In Belarus, whose participation in the EaP was always limited almost exclusively to the multilateral track and dialogue between the EU and non-governmental organisations, the situation is similar after a decade – a slight improvement in three criteria, and only one (judicial independence) marked a slight deterioration.

In contrast to Azerbaijan, Georgia is an example of a country where the state of affairs has improved, albeit slightly, by all criteria, with the exception of the judicial independence, which remained at the same level. In Moldova, instead, indicators of "electoral process" and "judicial independence" deteriorated, "corruption" remained at the same high level (6). In Ukraine, the indicators have worsened by five criteria over the past ten years: "national democratic governance", "electoral process", "media independence", "local democratic governance" and "judicial independence" and the level of corruption remained as high (5.75) as it was ten years ago. Only the "civil society" index, which is already the highest among all six countries, has improved from 2.75 to 2.5.

For all the states, including EU associate partners, the worst indicators are in the areas of national democratic governance, independence of justice and corruption. At the same time, the best situation refers to the area of civil society, with the exception of Azerbaijan. The given data illustrate well the biggest obstacles to modernisation and Europeanisation of the EaP participants: a reluctance of political elites to carry out the reforms (e.g. fighting corruption, ensuring the rule of law, independence of the judicial system, etc.) that threaten their power and existence. The most striking examples in this sense are Moldova and Ukraine.

Since a coalition of the liberal democratic parties "Alliance for European Integration" took power in Moldova in 2009, the EU made big bids on this country aiming to find a "success story" of the EaP. The new authorities have achieved a lot, for example, quickly fulfilled the requirements of the Visa Liberalisation Action Plan with the EU, which allowed the country, the first of

the EaP states, to have a visa-free regime with the EU in April 2014. However, the “facade Europeanisation” in Moldova⁴⁷ of the previous years continued: new laws were adopted, and new institutions created in order to present results to Brussels, while their implementation and effectiveness were undermined by the same institutions that created them. The biggest problem remained the division of power between two most influential oligarchic clans in the country, controlled by the informal leader of the Democratic Party, Vladimir Plahotniuc while his rival, Vladimir Filat, the leader of the Liberal Democratic Party. The EU considered the latter “a good oligarch” for quite some time, especially when he was the prime minister, and Mr Plahotniuc was a “bad oligarch”. However, Filat’s government, on which the EU was counting so much, was the most corrupt. During his premiership, one billion dollars was stolen from three banks, equal to 12% of the country’s GDP⁴⁸. The arrest and imprisonment of Filat and the formation of a new government in 2015 did not restore the confidence in pro-European political forces in the country as instead of two oligarchs, only one started ruling the country, Vladimir Plahotniuc. The support for European integration has dropped more than twice compared to 2008 because of the corruption scandal and a political crisis, and reached about 30% by the end of 2015⁴⁹. The disappointment with European integration, which became a cover for corruption, made possible the election of a pro-Russian president Igor Dodon in 2016, who, in fact, is secretly supported by Vladimir Plahotniuc⁵⁰. Meanwhile, the implementation of the association agreement and other reforms related to European integration has significantly slowed down.

Today, it is important for the EU to avoid making the same mistake in relations with Ukraine that it has made in Moldova such as the support for self-proclaimed “eurointegrators”, despite proofs of corruption and discrediting the idea of European integration, especially before the presidential elections in 2019. Ukraine is the largest, the most important and problematic state in assessing the impact of the EU initiatives on the development of post-Soviet states in Eastern Europe. It may be considered a test to determine the effectiveness of the EU’s transformational force in the region since the stability

⁴⁷ Cristian Ghinea and Victor Chirilă, “EU – Moldova Negotiations. What is to be Discussed, What Could be Achieved?”, Romanian Center for European Policies (CRPE), Foreign Policy Association (APE), 05 May 2010, p. 23, http://www.crpe.ro/eng/library/files/crpe-ape_eu_-_moldova_negotiations.pdf.

⁴⁸ Aliona Hetmanchuk, “From ‘history of success’- to ‘oligarchic dictatorship’. What lessons Ukraine should take from Moldova”, *Dzerkalo tyzhnia. Ukraina*, 18 November 2017.

⁴⁹ Leonid Litra, “The crisis is beneficial for Moldova,” *Dzerkalo tyzhnia. Ukraina*, 30 October 2015.

⁵⁰ Aliona Hetmanchuk, “From ‘history of success’...cit.”; Andrew Wilson, “Partners for Life” ...cit.

and success of reforms in this country have a significant impact on the security of the EU.

After “the Revolution of Dignity”, a significant progress has been made in Ukraine in reforming certain areas such as budget stabilisation, the reform of some types of public procurement, of the energy sector, which has traditionally been a major object of interest of the Russian press, the creation of anti-corruption institutions, and the construction of an army from scratch. It happened due to the rise of social activity, the arrival of some reformers (mostly civilians), the greater involvement of the West and of the EU in particular, as well as circumstances of “force majeure” such as the annexation of Crimea, the beginning of the Ukrainian-Russian conflict in Donbas, and the fall of trade and of the financial system in 2014-2015. In those areas where the pressure of the West, and of civil society was smaller, progress was minimal such as the reform of state-owned enterprises, or the land reform, etc. At the same time, as the unfolding of the reforms progressed, the opposition to them increased as soon as they became a threat to the interests of the elites. As Oleh Rybachuk, one of the founders of the civic movement “Chesno”, noted, “Ukrainians have learned to sabotage that element of the mechanism [of reform implementation] that undermines everything”⁵¹.

On August 15, 2016, Ukraine launched an unauthorised electronic declaration system for high officials, which did not correspond to the objectives of securing of the main legal consequences, which should be the result of the submission of false declarations. Only under pressure from the EU and the IMF, and the risk of losing the visa free regime with the EU, a \$3 billion loan from the IMF and a 1.2 billion euro of financial aid from the European Union, Ukraine had to abandon the breakdown of e-declarations. In this situation, the Ukrainian authorities had no other choice than to return to the system certification: due to the urgent meeting held by President Poroshenko with directors of Ukrainian anti-corruption organisms, it was agreed to immediately issue the certificate of conformity of the electronic declaration system by August 31⁵².

As Andrew Wilson notes, during the first two years after the revolution of 2014, it became clear that the stakeholders blocked key reforms⁵³. In the summer and autumn of 2017, the authorities began to frankly oppose the reforms that threatened their power and existence. Some semi-authoritarian practices and dirty political tricks of Viktor Yanukovich have been revived.

⁵¹ Andrew Wilson, “Partners for Life” ...cit.

⁵² Serhiy Sydorenko, “Money in exchange for reforms: why Bankova refused to break the e-declaration system?,” *Europeiska pravda*, 18 August 2016, <http://www.eurointegration.com.ua/articles/2016/08/18/7053523/>.

⁵³ Andrew Wilson, “Survival of the Richest: How Oligarchs Block Reform in Ukraine”, European Council on Foreign Relations, 14 April 2016, http://www.ecfr.eu/publications/summary/survival_of_the_richest_how_oligarchs_block_reform_in_ukraine6091.

The autumn campaign against Mikheil Saakashvili who broke up the alliance with the President Poroshenko and lost Ukrainian citizenship became an alarming symptom of how the judiciary and security apparatus were again drawn into the process of massacre with political opponents.

At the same time, the political forces in power began to dismantle the most effective anticorruption agency that has ever functioned in Ukraine, the National Anti-Corruption Bureau of Ukraine (NABU).

On 6th December 2017, Yehor Soboliev, Self-Reliance Party MP, was dismissed from the position of the head of the anti-corruption committee. The representatives of the Petro Poroshenko Bloc and the People's Front registered the same day a draft law according to which the Director of NABU, the head of the anti-corruption prosecutor's office, any member of the National Agency on Corruption Prevention (NACP), and a director of the newly established State Bureau of Investigations⁵⁴ could be dismissed without any audit. That could have radically changed the influence of the Parliament on the system to combat corruption. In case of the approval of this law, all anticorruption authorities would have been subordinated to the pro-government coalition and would have turned into a political instrument. The international pressure of the US, the EU and the IMF⁵⁵ did not allow the parliament to vote on this bill, but it still remains in the Verkhovna Rada and may be put to the vote at any time as soon as the West is diverted to other things.

Worrisome process of the anti-corruption courts introduction has become an illustrative example of anti-corruption reforms blockage by the authorities, which could become the last link of an effective process to combat corruption. Despite the earlier commitment to the EU to create such courts in summer 2017, Poroshenko spoke about an alternative option, such as the creation of special "anti-corruption chambers" in the existing courts, whose independence is out of the question. The intensification of pressure from the US and the EU forced the President to submit on December 13, 2017 a draft law on the creation of an anticorruption court⁵⁶, but this document ignores the advice of the Venice Commission and does not provide the necessary independence from the political and judicial hierarchy as the IMF, The World Bank and the EU⁵⁷

⁵⁴ Verkhovna Rada of Ukraine, *Draft Law "On Amendment of the Certain Laws of Ukraine on Provision of Parliamentary Control"*, http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=6308.

⁵⁵ Serhiy Sydorenko, "A step from the abyss: the night when Ukraine almost lost its visa-free regime," *Europeiska pravda*, 07 December 2017, <http://www.eurointegration.com.ua/articles/2017/12/7/7074727/>.

⁵⁶ Verkhovna Rada of Ukraine, *Draft Law on the Supreme Anti-corruption Court*, http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=63218.

⁵⁷ What the IMF requires: full text of a letter from Washington to Bankova, *Europeiska pravda*, 15 January 2018, <http://www.eurointegration.com.ua/articles/2017/12/7/7074727/>.

rigorously stated. There is hope that their demands will have an effect; otherwise, other achievements will be under threat.

E-declarations on income and property of civil servants have not yet resulted in any criminal investigations. This occurs because the NACP, which should check the declarations, is under the control of the oligarchs⁵⁸. Finally, in the summer and autumn of 2017, the persecution of anti-corruption activists, non-governmental organisations and investigative journalists intensified. In August, a criminal case was opened against Vitaliy Shabunin, head of the Anti-Corruption Action Centre⁵⁹.

By these actions, Ukrainian authorities attempted to eliminate the progress in ensuring the rule of law, the fight against corruption and the division of powers that has been achieved in Ukraine since “the Revolution of Dignity”. According to Gustav Gressel, “If this continues, Ukraine will again be a quasi-authoritarian kleptocracy in which few holders of power use the state apparatus to advance their private interests”⁶⁰.

Many politicians in Ukraine, like in other countries of Eastern Europe and the South Caucasus, privilege their interests rather than public ones. As Leslie Holmes noted, “successful post-communist world officials are not directly interested in introducing political transparency or the rule of law in economics and politics”⁶¹. Taking the countries of Central and Eastern Europe as an example, Milada Anna Vachudova proves that governments of the non-liberal model are ready to sacrifice the abstract advantages of EU membership in order to protect their political and economic interests⁶². The implementation of EU requirements will bring significant short-term losses for the ruling elites because of increased transparency and competitiveness. The transparency will result in the loss of profits from illegal economic schemes that are “protected” by politicians and enable rapid enrichment. Therefore, it seems more useful for the political elite to maintain the status quo rather than provide reforms for the long-term benefits of state and society. It is difficult to alter such system because all those who are able to make the change do not really need any changes because the system is satisfactory for them.

⁵⁷ New requirements for the Anti-corruption court: what the World Bank added to the conflict between Kyiv and the IMF, *Europeiska pravda*, 16 January 2018, <http://www.eurointegration.com.ua/articles/2018/01/16/7076176/>.

⁵⁷ The EU made a statement on the Anti-corruption Court with a hint of a visa-free regime suspension, *Europeiska pravda*, 18 January 2018, <https://www.eurointegration.com.ua/news/2018/01/18/7076263/>.

⁵⁸ Gustav Gressel, “Ukraine on the brink of kleptocracy ... cit.”.

⁵⁹ Andrew Wilson, “Partners for Life” ...cit.

⁶⁰ Gustav Gressel, “Ukraine on the brink of kleptocracy ... cit.”.

⁶¹ Leslie Holmes, “Crime and Corruption after Communism: Introduction”, *East European Constitutional Review* 6, 1997, p. 6.

⁶² Milada Anna Vachudova, *Europe Undivided: Democracy, Leverage, and Integration After Communism*, Kyiv: KMA, 2009, pp. 25-28.

The problem for the EU lies in the fact that the Ukrainian elites are acting under the cover of European integration. Therefore, as it happened earlier in Moldova, the private enrichment of alleged “pro-European” politicians would only discredit the EU and diminish its influence on the transformational processes in Ukraine. We agree with Gustav Gressel’s view that Europe should resist Ukraine’s officials sooner than later⁶³. However, in its policy towards Ukraine, the EU is tucked between two potential dangers. On the one hand, the EU tries not to confront the Ukrainian officials in order to avoid undermining Ukraine’s struggle for independence and sovereignty against Russia. On the other hand, the EU is afraid to grant more legitimacy to the corrupted power. Any arguments that Ukraine should be allowed to focus only on war are a dangerous illusion. Corruption and sovereignty are separate issues that should be considered as such. If the Ukrainian authorities fail to accomplish their promises to combat the corruption or ensure the rule of law (as required by the Association Agreement with the EU), it should have consequences, regardless of its struggle with Russia.

It is obvious that the EU does not want to use the threat of suspension of a visa-free regime because it will harm the average Ukrainian instead of the corrupt elite. The freezing of European assets of the most corrupt representatives of the Ukrainian government would be a much better instrument that will give a clear signal to the Ukrainian society on the eve of the 2019 presidential and parliamentary elections⁶⁴. In any case, the EU as well as the United States and the IMF, must adhere to harsh conditions in relations with Ukraine in order to prevent local authorities from abandoning the reforms that harm the acquisitive interests of local elites. At the same time, Western governments should continue to support and protect the Ukrainian civil society, which, together with Western pressure, is a key to maintaining the impulse for reforms.

Russia’s Influence In The Region

Many problems of the EaP partner states stem from the reluctance of the Russian Federation to respect their sovereignty and the attempt to preserve its “sphere of influence” in the post-Soviet space. Since the inauguration of the ENP in 2004, and later the EaP, Russia has not concealed its concern that with the spread of European standards in Eastern Europe, it will inevitably gravitate towards the EU. By introducing the ENP, the EU has penetrated into a region that Moscow sees as a zone of its vital national interests. Since then, the post-soviet Eastern Europe has created a space of international competition for the influence between the two centres of power, the EU and Russia, where the

⁶³ Gustav Gressel, “Ukraine on the brink of kleptocracy ... cit.”.

⁶⁴ *Ibidem*.

“European neighbourhood”, in the sense of the ENP/EaP, collides with Russia’s “near abroad”. The EaP was not launched against Russia and was designed in a way to avoid such confrontation with it. It appeared, however, that for Russia, any activities of the EU in Eastern Europe are perceived as hostile. Russia began to look for ways to stop the European integration of the EaP countries.

The traditional measures to prevent the spread of Western values and standards in the post-Soviet space and the withdrawal of EaP partners from its sphere of influence are that Russia include trade sanctions, restrictions on the export of energy resources, influence on internal political processes through its agents, information wars, escalation of “frozen conflicts”, support of local separatists, and military intervention. In addition, the formation of an alternative integration space in the form of the Eurasian Economic Union, created in 2015, has accelerated. Despite the weak economic base, the Eurasian Economic Union has a tougher organisational structure than its predecessors do, and the project is actually being implemented. Moreover, Russia regards it as a real instrument for the re-integration of the post-Soviet space, including the EaP countries (Belarus and Armenia today).

Despite these measures of Russia, the EU made a historic step by signing the AAs at the end of June 2014, including deep and comprehensive free trade areas with Georgia, Moldova and Ukraine. However, given Russia’s public fears that Ukraine’s free trade agreement with the EU would have a negative impact on Russia’s economy, EU-Russia-Ukraine tripartite consultations were launched in the spring of 2014 at the interagency level to discuss this issue. In the context of escalation of the conflict in Ukraine, its great losses in the fight against Russian terrorist forces and the difficult economic situation, the EU decided on the 12th of September 2014 to postpone the beginning of the economic part of the AA for 14 months. Under pressure from Russia, the adjourning of the entry into force of the chapter on free trade until the 1st of January 2016 confirmed the fact that Russia became an informal player with a veto right in bilateral relations between Ukraine and the EU⁶⁵. Such unprecedented practice is a threat to the entire EaP policy. However, at the same time with trying to find a compromise with Russia regarding the AA trade section with Ukraine entry into force, the EU began to impose sanctions on Moscow because of the annexation of Crimea and interference in Donbas, and unilaterally opened access for goods to its market for Kyiv.

The “Russian factor” in EU relations with the EaP countries remains controversial in scientific and public discourse in Europe. Among the political realists, there is a widespread perception that the EaP violated the balance of

⁶⁵ Laurynas Kasčiūnas and others, “Eastern Partnership in a Changed Security Environment: New Incentives for Reform: Study”, *Eastern Europe Studies Centre*, Vilnius, 19 November 2014, p. 12.

power in Eastern Europe, so Russia was forced to defend itself and take steps to rebuild it. This caused Russia's aggressive actions on the territory of Ukraine. Boris Johnson, British Foreign Secretary, assumed that the EaP was the reason for Russia's war against Ukraine in 2014⁶⁶. According to Andrew Wilson, the elements of the isolationist policy regarding the former Soviet space which argue the EU has nothing to do there because it belongs to Russia's sphere of influence are quite realistic⁶⁷.

Similar considerations are also defended by researchers the other side of the Atlantic. For example, Professor John J. Mearsheimer of the University of Chicago who is a prominent neorealist representative argues that the United States and their European allies, who have been providing very active policies in the region, are primarily responsible for the crisis in Ukraine, and not Russia. "[...] the West had been moving into Russia's backyard and threatening its core strategic interests, a point Putin made emphatically and repeatedly"⁶⁸. According to him, the conflict proves that "U.S. and European leaders blundered in attempting to turn Ukraine into a Western stronghold on Russia's border. Now that consequences have been laid bare, it would be an even greater mistake to continue this misbegotten policy"⁶⁹. Therefore, the only solution is to restore the balance of power, recognize the influence of Russia and suspend the initiatives of NATO and the EU in the region⁷⁰.

This approach is still marginal in the EU's public space and it has not forced the EU to reduce its commitment to the EaP. However, the opposite approach when the EU's withdrawal from the region will only deepen its instability, as indicated by Wilson⁷¹ or Kobzova⁷², is not dominant. There are reasons to believe that until the EU reaches an agreement on how to develop relations with Russia, there will be no significant strengthening of the EaP.

The EU's eastern strategy of "avoiding problems in relations with Russia" in recent decades, was unsuccessful in terms of its results. Despite the reluctance of the EU to confront Russia, it will inevitably collide with it if it really wants to promote democratisation, modernisation and the gradual integration of the countries of Eastern Europe and South Caucasus into it, as this directly contradicts Russian interests in the region. The EU must not leave

⁶⁶ Charles Grant, "Is the EU Responsible for the Crisis in Ukraine?", Prospect, 26 May 2016, <http://www.prospectmagazine.co.uk/world/eu-crisis-in-ukraine-moscow-putin-brexiteuropean-union>.

⁶⁷ Andrew Wilson, "Partners for Life" ...cit.

⁶⁸ John J. Mearsheimer, "Why the Ukraine Crisis Is the West's Fault", *Foreign Affairs*, September/October 2014, <http://www.foreignaffairs.com/articles/141769/john-j-mearsheimer/why-the-ukraine-crisis-is-the-west-s-fault>.

⁶⁹ *Ibidem*.

⁷⁰ *Ibidem*.

⁷¹ Andrew Wilson, "Partners for Life" ... cit.

⁷² Jana Kobzova, "Easing the EU's Eastern Partnership fatigue ... cit."

the region and stop supporting those Western-oriented states. In many aspects, the EU has already won in the region – Georgia, Moldova and Ukraine are trying to avoid the embrace of Moscow and seek a further rapprochement with Brussels. This “victory” though also means more responsibility: in search of potential compromises, including those with Russia, where possible, the EU should be ready to confront the latter and assist the states of the EaP, if necessary.

Instead, the EU’s refusal to support the transformation of its Eastern Neighbourhood, which will unleash Russia’s plans, does not guarantee the restoration of stability in the region, and, as the situation in Ukraine shows, it could lead to even more threats to the EU. If Ukraine, Moldova and Georgia are left alone, Russia will start new aggressive attempts to limit their sovereignty. The Western-oriented citizens of these states will oppose in response, which could lead to further destabilisation.

This time, after the Russian annexation of Crimea and its military aggression in Eastern Ukraine, if the EU returns to the “business as usual” principle that is the normalisation of economic relations, lifting sanctions and restoration of political dialogue in its relations with Russia as it did after the Russo-Georgian conflict in 2008, it will mean that EU is ready to tolerate any Russian behaviour beyond a red line depicted by the Kremlin on the map of Europe. After that, any activity of European institutions in the post-Soviet space will be impossible without Russia’s consent. If the EU does not want to repeat the 2008 mistake, then sanctions and other restrictive measures against Russia should be maintained until the conditions that led to their implementation change.

The revision of the EaP requires taking into consideration certain difficult matters that leave the partner countries open to Russian influence, primarily in the economic, energy, and information spheres, and the formation of relevant positions at the EU level. If the EU has a direct interest in minimising the influence of Russia in the EaP countries, the best way out is to help them “build” their independence and resist Russia’s attempts to confront their sovereignty, rejecting any opportunity for Russia to gain an informal veto on co-operation between EU and the EaP states.

Weak Incentives Of The European Union

The incentives that the EU provides within the EaP are traditionally formulated as “three Ms”: Money, Markets and Mobility⁷³. They are offered within the framework of the AAs, which have set the benchmarks for political and economic reforms in order to move to the EU’s rules and standards: EU financial assistance for reforms, partial access to the EU common market provided by deep and comprehensive free trade areas, which operate in

⁷³ Laurynas Kasčiūnas and others, “Eastern Partnership ... cit.”, p. 15.

conditions of legislative and technical harmonization, and the liberalisation of the visa regime.

Although individual countries have demonstrated more or less tangible progress in implementing certain parts of the programme, the EaP did not show, in general, the ability to stimulate radical internal transformations in Eastern Europe and their rapprochement with the EU, similar to the transformational force of EU enlargement policy. The basic constraint of the EaP is not much in the quality of programmes, projects, mechanisms, or even the volume of resources involved, but rather in its very essence, which is the alternative to the enlargement policy, and the absence of important incentive that would push the EU partners to the necessary changes – the prospects of membership. The EaP, as well as the enlargement policy, is based on the conditionality principle (to get *x* you have to make *y*), but its main incentives, free trade and free movement of the population, are not as attractive as full membership of the EU, and affordable financial assistance is not enough to offset the costs of comprehensive reforms. Frank Schimmelfennig and Hanno Scholtz think that the effect of the conditionality principle within the framework of the European Neighbourhood Policy is doomed to failure due to the lack of membership prospects⁷⁴.

The AAs with Georgia, Moldova and Ukraine are also built on the conditionality principle, but the costs of implementing the necessary reforms will remain high. Therefore, it is unclear how these agreements can contribute to the implementation of the necessary legislative and practical changes. Deep and comprehensive free trade areas promise the eastern neighbours an access to the EU internal market. The proposal is certainly generous, but somewhat blurred, distant and expensive in terms of short and medium-term prospects for the neighbours. The EU's strategy is based on gaining advantages by the neighbouring countries from access to the EU internal market. This access, however, depends on compliance with the rules and standards of the internal market, and, therefore, the EU proposes the neighbouring countries to adopt a significant part of the *acquis* that regulates the functioning of the internal market (about 80%). As to the EaP partners, such a proposal poses a significant challenge not only because of the lack of legal and administrative capacity to adopt and implement the *acquis*, the need for change in established business practices, but also because of the inevitability of significant costs. The CEE countries that joined the EU made such expenditures for the sake of membership (including access to EU structural funds). The EaP does not provide such motivation. Most of the financial assistance provided by the EU to the EaP countries is represented by credit assistance, and not by grants. For

⁷⁴ Frank Schimmelfennig, Hanno Scholtz, "EU Democracy Promotion in the European Neighbourhood: Conditionality, Economic Development, and Linkage", (paper for EUSA Biennial Conference), Montreal, 2007, p. 3.

example, in the case of Ukraine, the grants represent only 6% of the total EU assistance⁷⁵. The model of “integration without membership”⁷⁶, proposed by the EU within the EaP, does not have tools to stimulate truly deep reforms.

It is generally acknowledged that in order to increase the efficiency of the EaP, the EU should offer new incentives for pro-European partners. The prospect of EU membership appears to be the biggest incentive for Georgia, Moldova and Ukraine to continue the move towards European integration. It is not just about declarations that ensure, for example, that the EU’s door remain open for the EaP countries, but the assurances that, depending on progress in internal reforms, the EU is really ready to begin a pre-accession process with these countries. Only in this case, the association agreements, as a step towards the integration process, can provide long-term effectiveness of the EaP.

This is not an acceptable solution for many EU countries whose number has grown in recent years. For instance, the Netherlands permanently block the official recognition of the “European aspirations” of the eastern neighbours by the EU after the April 2016 referendum on ratification of the Association Agreement with Ukraine. Hungary threatens to veto any deepening of relations between Ukraine and the EU after a new law on education came into force in Ukraine in September 2017, which limited the teaching of minority languages. After the start of the Ukrainian-Russian conflict, Europeans were fearful that the steps towards the EU enlargement in this direction would lead to Russia’s countermeasures and further destabilisation. According to Daniela Schwarzer, a political expert at the German Marshall Fund of the United States, European politicians must first convince their people that such incentives as the prospect of membership are necessary⁷⁷. This can only become a reality if the partner countries demonstrate clear progress and readiness to implement the necessary reforms. The current “fluctuations” in the reforms taking place in Ukraine, Moldova and Georgia do not contribute to this.

In this situation, the EU can propose intermediate steps towards full membership in order to support a more ambitious policy towards its eastern neighbourhood. Researchers from the Lithuanian Eastern Europe Studies Centre⁷⁸ offer interesting and logical ideas in this context. In their view, “the golden mean” between the two poles, that is de facto suspension of the EaP or the rapid granting of membership prospects to partner countries could be an Action Plan or a Roadmap, which provides the prospect of membership proposed for each country. It should be a roadmap for reforms based on standard principles in the direction of compliance with the Copenhagen criteria

⁷⁵ Jana Kobzova, “Easing the EU’s Eastern Partnership fatigue ... cit.”.

⁷⁶ Tetiana Sydoruk, *European Neighborhood Policy in Eastern Europe: a model for integration without membership*, Lviv: PAIS, 2012, pp. 254-55.

⁷⁷ Laurynas Kasčiūnas and others, “Eastern Partnership ... cit.”, pp. 21-22.

⁷⁸ *Ibidem*, pp. 22-23.

but differentiated for each country, taking into account their main problems, the fulfilment of which will make it possible for EU membership prospects. Providing such a Roadmap will be an incentive for reforms, and thus will “throw the ball” into the hands of the EaP countries, as they will have to reach the goals set by the EU: to implement the EU rules and standards before the latter takes a politically difficult decision on the prospect of membership⁷⁹.

Indeed, the experience of implementing the Visa Liberalisation Action Plans by Georgia, Moldova and Ukraine has shown a significant impact of the EU conditionality principle, when the conditions are set out clearly, and the promised rewards are noticeable. All three countries have demonstrated significant progress in implementing migration reforms, fighting corruption, improving border control and human rights. It is hard to believe that the reforms launched under the visa liberalisation process would become a reality without remuneration from the EU.

Currently, Brussels emphasises the need for these countries to implement the AAs over the next decade. Nevertheless, politically it is unlikely to be attractive, and we consider the EU ought to propose new intermediate incentives that would give a clear signal to associated partners about the prospects for their European integration. Georgia, Moldova and Ukraine should be gradually linked to the prospect of joining the EU, which would allow them to be considered as potential candidates under certain conditions.

An alternative to the above-mentioned Roadmaps on membership prospects can be a definition of a clear list of top priorities within the AAs implementation with rigid criteria for real progress and limited timeframes; and after taking into consideration the results, the EU will make a decision whether to provide a European perspective for each of the three countries or not. This will mean a focus on the proper implementation of the AAs by Georgia, Moldova and Ukraine over the coming years, and they will be able to pass an official assessment and get (or not) the desired prospect of EU membership. Such an approach will allow EU Member States that have a negative attitude towards the idea of further enlargement eastwards to control the development of relations with partner countries and suspend them if the results of the reforms are unsatisfactory. On the other hand, for the EaP partner states, it will mean that after the results of fulfilling the specific conditions made by the EU, they will have the opportunity to move to a higher level of relations and be recognised the status of a potential candidate for EU membership.

An analysis of the economic and political indicators of Georgia, Moldova and Ukraine, of their position in various international ratings (corruption index, freedom index, global competitiveness index, level of public debt on GDP, etc.) and their comparison with the indicators of the Western

⁷⁹ *Ibidem*, p. 23.

Balkans in 2003, when the EU gave the latter the perspective of European integration⁸⁰, show that, in most cases, the three Eastern European states are in a better position today than the Western Balkan states were then. Consequently, we can assume that a serious EU proposal that dispels doubts about its intentions regarding the EaP states and gives the latter a clear direction and ultimate goal can provide real impact of the EU on reforms similar to the pre-accession process. However, going back to the EU's historic decision on expansion in the Western Balkans region, it should be noted that there is, perhaps, a key difference that determines the specifics of the EaP as an alternative to enlargement. Unlike the Western Balkans, the EaP states are not an "empty space", but a zone of "special Russian interests". The more the capitals of the EU are inclined to take this factor into consideration, the more the EaP is deprived of any political symbolism and the partner states do not have a prospect of full membership in the EU.

In this situation, the EaP should find intermediate tools to provide as much support for the gradual reform process as possible in order to maintain the enthusiasm of the reformers and avoid allowing those opposing the reforms to win. This may include the work directed towards a common economic space between the EU and associated Georgia, Moldova and Ukraine (as the European Economic Area), further support for civil society, independent media content, trans-European network enlargement, more active EU involvement in conflict resolution in the EaP countries and opening up new opportunities for them to operate within the framework of the Common European Security and Defence Policy as well as the implementation of popular initiatives such as the elimination of roaming charges, the integration of the energy union, or EU's digital market, etc. It will not provide an immediate solution to all problems in the region, but it can reveal the potential of the EaP to facilitate a much deeper transformation of the EU's eastern neighbours, strengthening their sovereignty and resilience to Russian pressure. The ultimate success of the EaP and the transformation of the programmes into more efficient, modern and prosperous democracies are impossible without a real prospect of their membership of the EU.

Conclusions

It appears it is unlikely that the EU will make any major changes to the EaP in the coming years. It is now more concerned about its internal problems,

⁸⁰ Leonid Litra and Ivane Chkhikvadze, "The prospect of EU membership for Georgia, Moldova and Ukraine: impossible, forgotten or hidden?" *Glavcom*, 25 July 2016, <https://glavcom.ua/publications/perspektiva-chlenstva-v-jes-dlya-gruziji-moldovi-ta-ukrajini-nemozhliva-zabuta-chi-prihovana-363391.html>.

due to which it has fewer resources and suffers from the lack of willingness of the member states to invest in the region. The pressure of populism, political realism, the fact that many member states tend to take into account the “Russian factor”, “fluctuations” in domestic reforms in Ukraine, Moldova, and Georgia also stand in the way of an ambitious revision of the EaP.

However, with the condition that the EaP is more functional, it will still need to be reimagined. First, the EU must recognise political realities in the partner countries and adjust its expectations concerning reforms as well as policy towards governments and non-governmental forces. Secondly, a renewed approach to relations with partner countries should take into account their sensitivity to external pressures, namely the difficult matters that leave them open to Russia’s influence. The EU could propose ways that would minimise this influence in a sense of EU’s “soft power” enforcement in the nearest neighbourhood and the possibilities of countering the Kremlin’s “hard power”. Thirdly, the EU has to think about the intermediate incentives it can offer its pro-European neighbours (Georgia, Moldova and Ukraine) in order to gradually make path to grant a status of potential candidates for membership in the face of the irreversibility of internal transformations.